

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 13-184-1 CW

Plaintiff,

ORDER RE:  
EXAMINATION TO  
DETERMINE  
COMPETENCY OF  
DEFENDANT

v.

RAYVELL ANDREA NEWTON,

Defendant.

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In an order dated April 30, 2013, the Court, on its own motion, found that

there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

18 U.S.C. § 4241(a). Docket No. 14. Accordingly, the Court ordered that a hearing should be held to determine the mental competency of the defendant. A physician was retained to conduct a competency examination at Santa Rita Jail, where Defendant is housed, and to prepare a report to the Court. However, Defendant refused to participate in the evaluation.

Accordingly, the Court orders that Defendant be committed to the custody of the Attorney General for a period not exceeding

1 four months. As soon as possible, the Bureau of Prisons shall  
2 perform a competency evaluation and file a copy of the ensuing  
3 report with the Court. See 18 U.S.C. § 4241(b) and 18 U.S.C. §  
4 4247(b) & (c).

5 A status conference will be held on December 2, 2013 at 2:00  
6 PM. At that conference, the Court will set a briefing schedule  
7 and date for the competency hearing. If the Bureau of Prisons is  
8 able to prepare a competency report sooner, this date may be  
9 advanced on the calendar.

10 IT IS SO ORDERED.

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12 Dated: 8/13/2013

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14 CLAUDIA WILKEN  
15 United States District Judge  
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